

105TH CONGRESS  
2D SESSION

# S. 2470

To direct the Secretary of the Interior to make technical corrections to  
a map relating to the Coastal Barrier Resources System.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 1998

Mr. GRAHAM (for himself and Mr. MACK) introduced the following bill; which  
was read twice and referred to the Committee on Environment and Public  
Works

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## A BILL

To direct the Secretary of the Interior to make technical  
corrections to a map relating to the Coastal Barrier  
Resources System.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. REVISION OF COASTAL BARRIER RESOURCE**  
4               **SYSTEM MAP.**

5       (a) FINDINGS.—Congress finds that—

6               (1) the Department of the Interior published a  
7       notice in the Federal Register on March 4, 1985,  
8       specifying the criteria for including undeveloped

1 property in the Coastal Barrier Resources System  
2 (referred to in this Act as the “System”);

3 (2) the notice—

4 (A) expands and elaborates on the criteria  
5 used to delineate coastal barriers originally pub-  
6 lished in the Federal Register on August 16,  
7 1982; and

8 (B) specifies that candidate properties are  
9 to be excluded from the System if the prop-  
10 erties are developed with a full complement of  
11 infrastructure servicing each lot or building  
12 site;

13 (3) the Coastal Barrier Improvement Act of  
14 1990 (Public Law 101–591) designated unit FL–35  
15 in North Key Largo, Florida, as part of the Coastal  
16 Barrier Resources System;

17 (4) Unit FL–35 included Pumpkin Key, a 25-  
18 acre island that, at the time of its inclusion in the  
19 System, was developed with a full complement of in-  
20 frastructure, many structures, and a 20-slip multi-  
21 residential docking facility;

22 (5) the United States Fish and Wildlife Service  
23 has reviewed signed, sworn affidavits and as-built  
24 engineering drawings attesting to the presence on  
25 Pumpkin Key of electricity, water, and wastewater

1 disposal capacity for every building lot on the island,  
2 and a paved intra-island cart path network exceed-  
3 ing 2 miles in length;

4 (6) the utilities are provided to Pumpkin Key  
5 by a subaqueous utility line emanating from the  
6 Ocean Reef development in North Key Largo;

7 (7) the United States Fish and Wildlife Service  
8 has stated that the information referred to in para-  
9 graph (5) was not available to the Service when the  
10 Service recommended Pumpkin Key for inclusion in  
11 the System in a 1988 report to Congress; and

12 (8) based on its review of the information re-  
13 ferred to in paragraph (5), the United States Fish  
14 and Wildlife Service has affirmed that Pumpkin Key  
15 had a full complement of infrastructure at the time  
16 of its inclusion in the System and that exclusion of  
17 Pumpkin Key from the System constitutes a valid  
18 technical correction that the Service and the Depart-  
19 ment of the Interior can support.

20 (b) CORRECTION OF MAP.—Not later than 30 days  
21 after the date of enactment of this Act, the Secretary of  
22 the Interior shall revise the map depicting unit FL-35 of  
23 the Coastal Barrier Resources System to exclude Pumpkin  
24 Key from the System.

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